

KANAB PLANNING COMMISSION MEETING

AUGUST 4, 2015

KANE COUNTY COMMISSION CHAMBERS

PRESENT: Chairman Teresa Trujillo, Joan Thacher, Byard Kershaw, Mike Downward, Jeff Yates, Stuart Allan, Arlon Chamberlain, Gary McBride Business Land Use Coordinator, Jeff Stott of Kanab City Legal Council, Kent Burggraaf Representative for the City Council, and Secretary Katherine Ohlwiler.

MEETING STARTED AT 6:31 PM

APPROVAL OF MINUTES: Byard Kershaw made the motion to approve the minutes of July 7, 2015. Mike Downward 2nd the motion. Motion passed.

PUBLIC COMMENT: None

JUNE GORITZ. DISCUSS ADDING DOMESTICATED POT BELLIED PIGS TO LAND USE ORDINANCE: June Goritz explained to the Commission how she would like pot bellied pigs to be allowed as a pet. She shared many facts about them. The Commission considered whether or not the pot bellied pigs are ordinary or not and they decided to leave the definition broad for household pets in the ordinance based upon the agreement that pot bellied pigs are in fact ordinary.

DISCUSS BANDS AND SOUND IN THE CITY: Chris Penney explained to the Commission that he would like to change the ordinance to allow for live music up until a certain time at night. Kent Burggraaf explained that right now you can get a temporary permit through Police Chief Tom Cram. The Commission decided to add this to the agenda for the next meeting to decide on a more permanent change in the ordinance.

Arlon Chamberlain made a motion to go in and out of Public Hearing at the call of the Chair. Joan Thacher 2nd the motion. Motion passed.

PUBLIC HEARING. DISCUSSION AND RECOMMENDATION FOR REVISIONS TO CHAPTER 3 OF THE KANAB CITY LAND USE ORDINANCE:

Caralee Woods expressed that she wants everybody to be careful as they consider the wording in going over Chapter 3, so that they're not making it harder for people to appeal.

Out of Public Hearing.

The Commission agreed with the changes Jeff Stott made to Chapter 3 of the Land Use Ordinance with some rewording.

In Public Hearing.

Caralee Woods thinks the fee is too much for anyone trying to make a point.

Out of Public Hearing.

Mike Downward made a motion to recommend to the City Council to approve the revisions to Chapter 3 of the Land Use Ordinance as recommended by staff with the addition of accepting the comments in paragraph A changing the 150 fee of 250 and the addition to the comments of paragraph D that adds the language to clarify that they must pay an additional fee that will be refunded if the appeal authority says it is untimely and paragraph H the appeal authority may, by way of restraining order state all or just specific actions related to the Land Use Ordinance. Byard Kershaw 2nd the motion. Motion passed with Joan Thacher opposed.

PUBLIC HEARING. DISCUSS AND RECOMMEND ZONE CHANGE REGARDING SEXUALLY ORIENTED BUSINESSES:

Into Public Hearing

Charlie Saba thinks Jeff Stott should explain this agenda item before the public expresses their opinion.

Bryan Trout explained that the commission should zone the areas so they could control where they would be.

Chris Penney wondered if there was someone who proposed a business like this.

Charlie Saba asked a question about, "If the commission zoned it somewhere than years down the road someone buys something close to it then what would happen?"

Out of Public Hearing.

Arlon Chamberlain made a motion to recommend to the City Council a zone change regarding Sexually Oriented Business from MD to M2 as a permitted use with the times from 8 AM to 10 PM and change from adult entertainment retail to be called sexually oriented business. Joan Thacher 2nd the motion. Motion passed with Byard Kershaw opposed because of the additional limitations about the hours that were added.

PUBLIC HEARING. DISCUSS CHANGES IN USE CATEGORIES AND PERMITTED/CONDITIONAL USES IN LAND USE ORDINANCE. CHANGES INCLUDE CHAPTERS 1, 4, 7, 16-21 (AND ANY RELATED CHAPTERS):

Into Public Hearing.

Out of Public Hearing.

The planning commission made changes to the use categories in chapters 1, 4, 7 and 16-21 of the Land Use Ordinance. Mike Downward made the motion to recommend to City Council to approve the revisions made by staff regarding permitted and conditional uses in chapters 1, 4, 7 and 16-21 as well as revisions recommended tonight as noted by Gary McBride in the staff report and adopt the findings of staff. Jeff Yates 2nd the motion. Motion passed.

STAFF REPORT: None

COMMISSION MEMBER REPORT: None

COUNCIL MEMBER LIASON REPORT: Kent Burggraaf explained to the Commission that there is a shortage of affordable housing and rentals in Kanab. He expressed there might be an option to change the ordinance to eliminate owner occupied requirements.

Jeff Yates adjourned.

Chairman

Date